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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,038	05/15/2001	Andrew Chang	FOUND-0004	7958

33707 7590 02/07/2006

LEGAL DEPARTMENT
FOUNDRY NETWORKS, INC.
P.O. BOX 649100
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EXAMINER

PIZARRO, RICARDO M

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H/D

Office Action Summary	Application No. 09/855,038	Applicant(s) CHANG ET AL.	
	Examiner Ricardo Pizarro	Art Unit 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 26-31 is/are allowed.
- 6) ☒ Claim(s) 1,32 and 33 is/are rejected.
- 7) ☒ Claim(s) 2-25 and 34-48 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

FINAL ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 32 are is rejected under 35 U.S.C. 103(a) as being unpatentable over US patent No.6,721,313 (Van Duyne) in view of US patent No. 6,643,269 (Fan).

Regarding claims 1 and 32, Van Duyne discloses a switch fabric architecture comprising at least one receiver that receives narrow input cells carrying data (receiver device 12 a in Fig, 1 that receives serial- **narrow-** data, col 3 lines 65, col 4 lines 11-14) at least one wide cell generator that generates wide striped cells which include the of data from the narrow input cells (generator device 12 a in Fig,.1 that has also the functionality for converting differential serial –narrow- data into parallel – **wide-** data, col 4 lines 16-18) at least one transmitter that transmits the generated wide striped cells in multiple stripes to a switching fabric (Device 15 a in fig 1 will perform the necessary conversions/translation so data streams-stripes- will continue into the crossbar block –switching fabric- 25 in Fig. 1,col 6 lines 26-28).

Van Duyne did not specifically disclose said data being in a packet format, as in claims 1 and 32

Fan discloses a routing switch comprising a switching fabric 50 including a packet processor 54 that receives a packet from the packet processor which is forwarded to the SERDES 58 for serializing the data (col 9 lines 37-43)

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system disclose by Van Duyne by proving data in packet format as disclosed by Fan to increase the data-carrying efficiency in the system by addressing said packets using compressed addressing or short addresses.

The motivation to do so is to provide a switching fabric higher aggregate bandwidth and greater connectivity with less switch fabric stages.

3. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Duyne and Fan in view of US patent No. 5,392,279 (Taniguchi)

Van Duyne and Fan did not specifically disclose said input cells being sorted based on destination ID, as in claim 33.

Taniguchi discloses an Interconnection network wherein input cells are sorted based on destination ID (col 10 lines 34-41) as in claim 33.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the Van Duyne and Fan references by providing the sorting of input cells by destination ID in order to have a cell ready for transmission to a proper destination in a fabric.

The motivation to do so is to obtain a system wherein an address field in the packet header allows a dual address format to be distinguished by a transmitting and

receiving device so that the formats can be used interchangeably from packet to packet in a robust manner.

Allowable Subject Matter

4. Claims 26-31 are allowed.

Claims 2-25 and 34-48 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim.

Response to Arguments

Applicant's arguments filed on 8/3/05 have been fully considered but they are not persuasive.

Regarding claim 1 and 32 Applicant argues that Van Duyne fails to teach at least one transmitter that transmits the generated wide striped cells in multiple stripes to a switching fabric. (4th paragraph on page 16 and 2nd paragraph in page 17 of response).

Examiner disagrees with applicants argument . Van Duyne in Fig. 1 discloses a generator of wide-parallel- data cells , Devices 12a through 12d-,that converts **serial -narrow-** data into **parallel -wide-** data and then sends data to ICC Device 15 a-15d that will perform any necessary conversion/translation so multiple data stream-stripes- will **further continue** into the crossbar block 25 -switching fabric- . Examiner interpreted this continuation as transmission of the cells to the switching fabric and devices 15 as the "at least one transmitter device". Please refer to col 4 lines 16-19 and col 6 lines 26-31 as support for this limitation among other portions of the reference.

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Examiner has also interpreted the multiple serial data as a " block" of wide cells, as in claim 32..

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300

.(for formal communications; please mark "EXPEDITED PROCEDURE", for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to 22- 20th Street S, Crystal Plaza Two, Lobby, Room 1B03, Arlington , VA 22202 (Customer window).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Ricardo Pizarro** whose telephone number is **(571) 272-3077**. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Hassan Kizou** can be reached on (571) 272-3088.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2006-02-02
Ricardo Pizarro



HASSAN KIZOU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600